

The Times-Dispatch

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SATURDAY, JANUARY 6, 1912.

CRITICIZING THE COURTS.

Criticism of the courts gained for Mr. Bryan as much opposition in 1896 from conservatives of all parties as even his famous free silver issue, and yet the language which so distressed and shocked the conservatives of that day seems singularly tame and innocent in 1912.

Said the Democratic platform, in discussing the income tax decision: "We declare it is the duty of Congress to use all the constitutional power which remains after that decision, or which may come from its reversal by the court, as it may hereafter be constituted, so that the burden of taxation may be equally and impartially laid, to the end that wealth may bear its due proportion of the expenses of the government." This declaration was received by many Democrats and Republicans as an open bid for changing the laws of the country by exercise of the appointing power of the President.

Sixteen years ago the papers rang with the atrocity of the proposal which openly aimed at controlling the legislation by appointing judges of known views; yet the Corporation Commission of conservative Virginia calmly writes to President Taft in opposition to the appointment of Judge Hook to the Supreme Court, because a decision of Judge Hook's, in the language of the Corporation Commission, "may be fairly characterized as an abuse of his judicial discretion," for which decision the Corporation Commission "condemns Judge Hook's" action as unseemly.

It is hard to draw a line between the radical and revolutionary declaration of the Democratic platform in 1896 and the claim, judicial and conservative conclusions of the State Corporation Commission of Virginia in 1912, if criticism of the judge and objections to a line of decision is the final test between the radical and the conservative.

The Democratic platform of 1896 also took an advanced position on the question of the granting of injunctions by the Federal judges. The exact language of the platform was: "We especially object to government by injunction as a new and highly dangerous form of oppression by which Federal judges, in contempt of the laws of the States and the rights of the citizens, become at once legislators, judges and executioners." This expressed desire to limit the powers of the Federal courts was another and a serious stumbling block in the way of Democratic success.

But times have an odd way of changing, and we do not recall a more conspicuous example of this fact than in the following sentence from the Corporation Commission's letter to President Taft:

"There is much protest, whether justifiable or not, in the public mind, growing out of the frequency and facility with which Federal judges have been granted by United States judges of inferior courts restraining the enforcement of State laws, and the Supreme Court of the United States has itself apparently rebuked the inferior Federal courts for granting such injunctions on insufficient grounds."

It is not for the legal argument, or for the stated facts, that the Corporation Commission's letter is so illuminating, but rather because it shows the growth of the tendency to popular control over the courts.

In 1912 the three members of the Virginia State Corporation Commission, without the least apparent hesitating, take upon themselves to express to President Taft the same sentiments which brought about the overthrow of the Democratic party in 1896, though it polled 529,000 votes.

We do not suggest or maintain that the members of the Corporation Commission lost their right to individual thought or expression by becoming judicial officers of Virginia. But why should a court as a body attempt to control the membership of the Supreme Court? If mere opinion, even when it is the opinion of judges, is all that is necessary to justify the action of the Corporation Commission is not that body setting an example that comes perilously near in principle to the recall of judges by popular vote?

TYPHOID INOCULATION VINDICATED.

A most remarkable and interesting report on the efficacy of anti-typoid inoculation, as demonstrated by experiments conducted by Dr. Vincent, an eminent French epidemiologist, has just been made. It is hardly going too far to say that Dr. Vincent has virtually established the absolute efficacy of inoculation as a preventive, and it is certain that his report ought to disabuse any mind, lay or professional, of prejudice against "typoid vaccination."

The experiments were carried on under the most disadvantageous conditions, being made upon soldiers of regiments stationed on the Algero-Moroccan frontier—a notoriously unhealthy and fever-breeding region—and among a population ignorant of

the most elementary rules of cleanliness, with whom the contamination of the water supply amounts to a habit. The Wright serum and one prepared by Dr. Vincent himself were employed, so as to test their relative values.

Two hundred and eighty-three men were inoculated, 127 with the Wright and 154 with the Vincent serum. Among the former a single case of typhoid—a very slight one—developed, giving a ratio of 8 per 1,000; among the latter there were no cases.

Another result, and a most significant and important one, bears upon the prejudice alluded to, in that it disproved a popular belief that inoculation for typhoid is followed by a negative phase, in which the subjects are more than ordinarily prone or susceptible to infection. "Not a case of this kind," it is stated, "occurred; and, on the other hand, three cases in an early state of infection at the moment of inoculation developed only into a mild form of typhoid."

By contrast, and accentuating convincingly the efficacy of the preventive, Dr. Vincent shows that among 2,632 soldiers of European origin, who were not inoculated, there occurred, during a period of three months, 171 cases of typhoid and 131 cases of febrile intestinal disturbances—a rate of 115 per 1,000.

With pure water and milk and inoculation as typhoid preventives, indeed would it seem that sanitary and medical science is in position to trample under foot and exterminate the typhoid terror!

TWO VIEWS OF PRISON LABOR.

In striking contrast are the principles of the Hon. Leslie M. Shaw and those of the Hon. Oscar B. Colquitt. Shaw was Governor of Iowa and Secretary of the Treasury, and is now a financier. Colquitt is a farmer's son, was an employee in a furniture factory and a country newspaperman; he is now Governor of Texas.

Shaw is chairman of the board of directors of a manufacturing company. In the prospectus of which he says that his "factories are located inside prison walls, with 500 prisoners under contract in Maine, Illinois and Kentucky." . . . There are no strikes or labor troubles in prisons. Our company is supplied with factory buildings, storage warehouses inside the prison walls, free of rent. We have free heat, free light free power. . . . We pay for our labor 52 cents per man per day. Our competitors, who employ free labor, pay an average wage of \$2 per day. . . . These are ideal conditions of profitable manufacturing."

Colquitt's opinion as to the ethical propriety of making private profit out of prison labor is different from the Shawian view. In the Texas penitentiary there are 500 convicts who Governor Colquitt thinks ought to be at work on the public roads of the State. He would take off their stripes and put the men on their word of honor not to escape. He offers to various counties the services of these prisoners—bridge carpenters, blacksmiths, quarymen and others familiar with road construction—for the cost of their maintenance and 50 cents per day. He would let 25 cents per day of the amount go to the family of the convict, and the other 25 cents he would put into the treasury of the penal system. In such a way, he says, roads can be built "cheaply and efficiently."

"Which is better for society as a whole and for the convict himself, the Shaw or the Colquitt plan?" asks the Boston Globe, and we repeat with emphasis: "Which is better?"

GREATEST ACHIEVEMENTS IN 1911.

The Philadelphia Public Ledger lately sought far and wide opinions as to what were the five greatest human achievements of 1911. One fact brought out in the canvass was that the past year is widely regarded as mediocre. It did not produce much in the way of real achievement—any one that stands any chance of ranking among the greatest.

A close inspection of the answers gives these as the chief achievements of the year:

- The awakening of China.
- The abolition of the veto power in the House of Lords.
- The successful use of the aeroplane in warfare in Tripoli.
- The control of trusts by the government through decisions of the United States Supreme Court.
- The practical application of vaccination methods to prevent typhoid fever.

GIFTED ON SOCIAL FOIBLES.

Brother O. P. Gifford, one of the oldest Baptist ministers in the country, and at present pastor of the Brookline Baptist Church, made an address on New Year's night at the 16th regular meeting and supper of the Woman's Baptist Social Union of Boston. His subject was "Is Life Worth Living?" and some of the things he said and some of the knocks he delivered were so keen that they are given below.

"Remember Lot's wife, she was so struck on her part that she had no future."

"You may be a daughter of the Revolution, but that won't pay you groceries bills."

"I know a Boston man whose ancestors came over in the Mayflower. He wouldn't go to East Boston in the ferryboat for the grandest peloponnesian oar."

business, but more profitable to mind your own.

"Know your limitations. If men and women had the sense of chickens and ducks, there'd be fewer chickens drowned trying to swim, and fewer ducks wearing out their web feet trying to scratch up worms."

"The measure of a man is not his waistband, but his husband."

"Men without convictions are like radishes. You have to get all of them in a bunch before they have any market value."

"It's vastly easier to make money than to make a man. Many a Boston man has made a million dollars, but couldn't make a man of his own son to take care of it. Bankruptcy has made many a man where wealth made only a fool."

"How many things we men do for the women we love because of what the neighbors will say if we don't."

No doubt some of these sentiments stung, especially those which referred to pride of ancestry, for a man or woman in Boston without a Puritan forebear is a rare bird. It is said that not long ago an Englishman visited Boston and was much impressed with the innumerable monuments and memorials to departed worthies. Asked for his opinion as to the city, he replied that it seemed to him that all the Bostonians who amounted to anything were dead.

THE CHECKERS' PERIL.

There are a number of men in Richmond, married and unmarried, who spend much time in moving round pieces of wood on a pasteboard field of alternate blocks of red and white. That is a euphemistic way of saying that these men indulge in the checkers habit. To be perfectly frank about it, nobody has heretofore regarded these men, placidly studying and cautiously fingering the disks, as in any danger, but it appears that there is a real menace in checkers, and, as a friend of the family, we must utter our warning. Reluctantly it is uttered, because checkers is one of the most democratic games in the nation, and in the country districts is an innocuous substitute for bridge. All of us, perhaps, have heard the story of the South Carolina storekeeper who was a checkers fiend. One day a friend walked into the store, saw a lone woman customer waiting at the counter, but the merchant was not in sight. The friend went to the rear of the store, which was shut off from the front part by a partition, and there he found mired, the proprietor, engrossed in a game of checkers with the village policeman. "Say, there's a customer in the store," suggested the friend. "Sh-h-h," whispered the merchant; "don't make any fuss, and she'll go away."

Myron Gould's case is one to which the attention of families possessing male checker players is respectfully called. Several months ago Myron, champion checker player of Leavenworth county, Kan., was sentenced to two years in the penitentiary for wife desertion. The court, however, found extenuating circumstances—doubtless the court itself liked a little game now and then—and Gould was paroled on condition that he would contribute \$6 a week to the support of his wife and two children. It would seem that even a checker player could do that much for his neglected but loving family, and the champion of Leavenworth county with enthusiasm promised the court that its mercy would be appreciated and justified.

Alackaday, how frail the checker fiend! On complaint of Mrs. Gould, the Leavenworth county expert has been arrested again and sent to prison for his utter failure to live up to the promise upon which his parole was based. His wife says that the checker habit has fastened itself upon her husband so thoroughly that there is no hope that he will do anything but play checkers. Instead of earning the \$6 a week promised his loved ones, he has gone about the country seeking whom he might beat at checkers.

Now he must go to prison and try there to wean himself of the checker-playing habit. Be warned, men and men players' families, against checkers before it is too late, lest checkers be changed for the stripes! The checker's habit strikes the high and the low, the great and the small—in fact, it is said that one of our city officials of high rank indulges in a game now and then, without having even asked the advice of the City Attorney as to whether such an act was *infra vires*, and in face of the fact that nowhere in the code of the city is there to be found any section permitting city officials to play checkers in any circumstances.

The Columbia State makes this most timely objection to the glib way in which speakers and writers refer to the "Southland."

"Who is responsible for the coinage of the preposterous word 'Southland'?" For a hundred years the South described the section of the United States on the hither side of the Mason and Dixon line. No one thought of 'Southland' in the days of the Confederacy, and no one mentions the 'Solid Southland' now. The term is used by the poets, sentimentalists of small wit, and shallow-patched, loud-voiced chaffers, and it is an abomination. The people who talk about the 'Southland' are unacquainted with the South and never can understand."

The State is absolutely right. The term ought to be killed by disuse, though its demise would be seriously felt by the mellifluous demagogues who are always prating about "this Southland of ours" or "our beloved Southland."

What Richmond needs: a free public library.

In a Philadelphia court the other day the clerk, in stentorian tones, three times repeated, summoned William Penn and his two sons, Richard and John Penn, to appear before His Honor in order that a certain title to

land of which they were the original grantors, be cleared of incumbrance. However, they did not appear, nor did His Honor fine them for contempt of court, for which leniency there was a good and satisfactory reason. William, Richard and John Penn are dead; in fact, they have been dead for some 200 years!

It must be conceded that this is the coldest weather we have had since the middle of August.

The cold wave is responsible for the breaking of many a good New Year's resolution.

No, Lucile, if you have the young man's consent to marriage, it is not necessary to ask his parents for his hand.

Ge, but it's tough to have to tell a smart, pretty, attractive, wealthy, fascinating girl, the fervor of whose proposal shows how undying her affection is, that you can only be a brother to her!

Too Many Newspapers.

In the comment on the consolidation of the Norfolk Landmark and the Virginian-Pilot published in the State yesterday, this sentence appeared: "Except New Orleans, no Southern city that we recall has two established and successful newspapers." This statement was, we trust, obvious to all, the world "morning" having been dropped and lost in the mechanical department.

Speaking of that newspaper consolidation, the Editor and Publisher of the New York is authority for the statement that during his eighteen-month ownership of the Landmark Mr. Abell lost between \$10,000 and \$50,000. The paper was, we understood, a model of paying property when Mr. Abell acquired control, but immediately upon the change of ownership the Virginian-Pilot not only stopped paying, but refused to keep up, and as the field could not furnish support for two papers going their gait, the private purse of the owner of one was called upon to bear the burden, and did until the owner got tired.—Columbia State.

Voice of the People

Edison's Trust Solution. To the Editor of The Times-Dispatch: Sir.—In announcing that he will devote his great energy and inventive faculty to solving the trust problem, Thomas A. Edison has taken upon his hands probably the most complex puzzle of his life. Some of the things he says about the trust problem are not very complimentary to our Congress, but coming from such a source, they will undoubtedly receive consideration even from that body. Congress ought to ponder gravely over this statement made by Thomas A. Edison:

"Most of our industrial legislation, as in the case of the Sherman law, works out in a manner directly opposite to that intended. From data that I collected, Herbert Spencer stated a law which, in this connection, is exceedingly illuminating. Nearly all the acts of organized 'deliberative bodies' will be found on examination to be below the average intelligence of the least intelligent members. The majority of the laws passed in Congress and in the State Legislatures, when put into execution, have had a directly opposite effect from that intended."

Mr. Edison argues that it is hopeless for lawyers or legislators to try to make an industrial law which will be of assistance to the industrial experts of the country. He holds that the Sherman law is a failure, because it makes every one in the United States pursuing business do just what he desires not to do. Every man does not want competition, he insists, and this law compels him to have it. Unlike most critics, Mr. Edison does not content himself with having made the criticism. He is willing to go further. He is going to frame an industrial law of his own, which he will offer as a substitute for the Sherman law. He is considering problems based on the complexities of all industries. The final result, he believes, will be a law which will solve the trust problem. He is taking up more than 100,000,000 words in his paper, may be whittled into shape by trained judicial minds.

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How Richmond Has Grown.

To the Editor of The Times-Dispatch: Sir.—My attention was called a few days ago to a stone in the sidewalk on the block between Jefferson and Madison, in Main Street, about 212 West, marking the corporate limits of Richmond, Va. after its incorporation in 1802. It is very interesting from the standpoint of both the history and growth of our city.

Chicago's Big Fire.

Will you give the cause and history of the great Chicago fire and X. Z. The great Chicago fire started in a stable on the South Side the evening of Sunday, October 8, 1871. The story runs that the original cause was the kicking over of a lamp by a cow (Mrs. McLeary's cow, but this has been denied). The flames spread rapidly, destroying the main business and residential portions of the city, and causing a loss of \$187,000,000 before rain helped to stop the conflagration.

Abe Martin

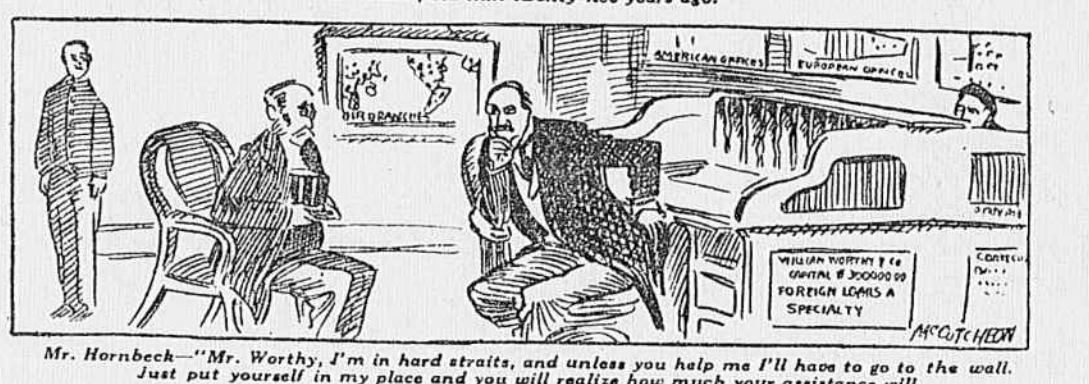
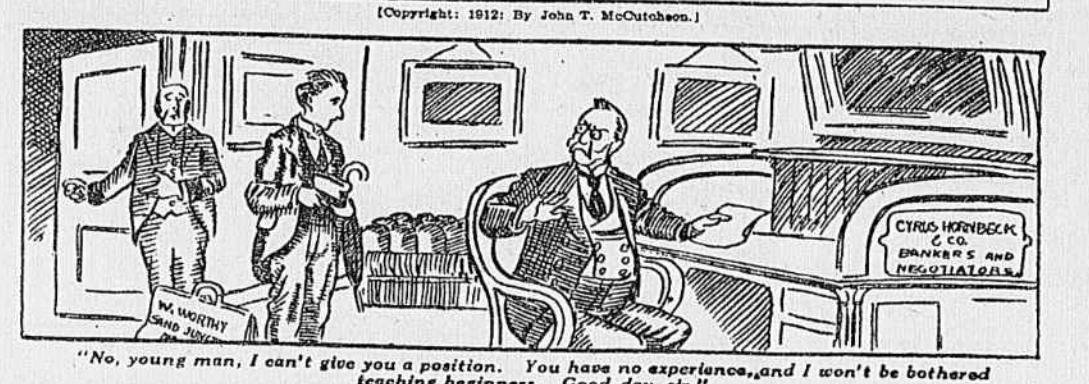
There's nearly ails something wrong about the fellow that's lookin' for work. Some folks don't like nothin' better than to try to describe somethin' that

A PICTORIAL SERMONETTE

The Poor Country Boy of Today May Be the Powerful Magnate of Tomorrow. So Be Careful Whom You Turn Down.

By John T. McCutcheon

[Copyright: 1912: By John T. McCutcheon.]



La Marquise de Fontenoy

LORD HOWARD DE WALDEN, whose marriage to Mary Raitle, daughter of the late Charles van Raitle, is about to take place, has, with his immense and varied income, amounting already to about \$200,000 a year, been regarded as one of the greatest catches in the matrimonial market. He is, however, so devoted to his fascinating and beautiful mother, that he has been prompted, probably by a sense of loneliness, to turn his thoughts to matrimony, and has chosen for a wife not only a very beautiful girl, but also one who is already very rich, and who will come into a still greater fortune on the death of her mother.

There is something particularly appropriate in this marriage, for Lord Howard de Walden is an island king, and his wife is a very rich and beautiful girl, but also one who is already very rich, and who will come into a still greater fortune on the death of her mother.

The present Castle of Brownsea, built on the foundations and former vaults and dungeons of many an earlier fortress, was purchased some twenty years ago from a Colonel Waugh, by the late Charles van Raitle, who spent a very large sum of money in the restoration and internal decoration of the castle, and in the laying out afresh of its once beautiful gardens, and fine old park. The great hall is hung with a sixteenth century tapestry, designed by Lucas van Leyden; and the castle, where Miss van Raitle and her widowed mother, Queen Catherine de Medici played, and where the English and Continental regiments have their abiding place, and a dozen equally well known thoroughfares, in fact, this Marylebone square mile alone yields to Lord Howard de Walden an annual revenue of \$1,500,000.

He is reputed the best amateur fencer and swordsman in the United Kingdom, is a splendid shot, has taken a lead in the sport of aeroplaning, has gone in to a considerable extent for motor racing, ashore and aloft, is a conspicuous figure on the turf, having taken over the entire stable of the

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